

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

MARK RICKNER and HEIDI RICKNER,

Plaintiffs,

V.

ALLSTATE INSURANCE COMPANY,

Defendant.

C19-5857 TSZ

## MINUTE ORDER

The following Minute Order is made by direction of the Court, the Honorable Thomas S. Zilly, United States District Judge:

(1) Plaintiffs' motion to compel discovery, docket no. 70, is GRANTED in part and DENIED in part, as follows:

(a) In response to Interrogatory No. 1, defendant shall articulate the reason or reasons why its employee Steven (or Stephen) Richardson was terminated. In response to Request for Production No. 1, defendant shall produce, within thirty (30) days of the date of this Minute Order, for the period from December 3, 2016, when plaintiffs' property was damaged by fire, until the date of Mr. Richardson's termination, all performance reviews and disciplinary materials concerning Mr. Richardson, including any performance improvement plans, oral warnings or reprimands, and/or documents relating to sanctions and/or termination. Plaintiffs shall maintain the confidentiality of records produced pursuant to this Paragraph 1(a) and shall not use such records for any purpose other than this litigation.

(b) In response to Requests for Productions Nos. 2 and 3, defendant shall produce, within thirty (30) days of the date of this Minute Order, any contract or document or portion thereof concerning the Good Hands Repair Network and/or Puget Sound Restoration (“PSR”) that contains the terms pursuant to which PSR was retained to evaluate the amount of plaintiffs’ insurance claim.

(c) In response to Requests for Production Nos. 4 and 6, defendant shall produce, within thirty (30) days of the date of this Minute Order, all emails to or from Steven (or Stephen) Richardson and all records of phone calls between Mr. Richardson and others concerning plaintiffs' insurance claim, to the extent such emails or phone call records are not contained within the portions of the claims file that have already been provided to plaintiffs, and to the extent such materials are not protected by attorney-client privilege and/or the work-product doctrine. If defendant withholds any responsive documents on the basis of privilege, it shall produce an appropriate log within thirty (30) days of the date of this Minute Order.

(d) Except as granted, plaintiffs' motion to compel is DENIED.

(2) Defendant Allstate Insurance Company's cross-motion for protective order, docket no. 75, is DENIED in part and GRANTED in part consistent with the rulings set forth in Paragraphs 1(a)-(d), above.

(3) The Court DECLINES to award attorneys' fees or costs to either party in connection with these discovery motions.

(4) The Clerk is directed to send a copy of this Minute Order to all counsel of record.

Dated this 16th day of May, 2021.

William M. McCool  
Clerk

s/Gail Glass  
Deputy Clerk